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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,872	04/13/2004	Yu Wang	839-1562	2665
30024 7590 01/04/2010 NIXON & VANDERHYE P.C. 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
FLETCHER III, WILLIAM P				
ART UNIT		PAPER NUMBER		
1792				
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01/04/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/822,872

**Applicant(s)**

WANG ET AL.

**Examiner**

William P. Fletcher III

**Art Unit**

1792

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-10, 12-14, 16-18, 20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-10, 12-14, 16-18, 20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. The amendment and remarks filed August 31, 2009, are noted with appreciation.
2. Claims 1-6, 8-10, 12-14, 16-18, 20, and 21, remain pending.

***Response to Arguments***

3. The objection to the title is withdrawn in view of the amendment.
4. The objection to claims 8 and 16 is withdrawn in view of the amendment.
5. The rejection of claims 11 and 19 is moot in view of the claims' having been canceled.
6. Applicant's arguments filed August 31, 2009, have been fully considered but they are not persuasive.

A. Rejection under 35 USC 103(a)

i. Manning clearly teaches: *Water-cooled stator bars for electrical generators are comprised of a plurality of small rectangular solid and hollow copper strands which are brazed to one another and brazed to an end fitting* [1:15-18]. Manning additionally teaches: *Recognizing that the only leakage paths are between the strands of the stator bar and between the fitting and the outermost strands of the stator bar at the brazing material, an epoxy material is provided...internally of the fitting to overlay the brazing material and all of the potential leak paths...* [2:1-7]. Manning further teaches: *Preferably, the epoxy may be applied...to the joint between the outermost strands and the internal wall defining the opening*

*through the fitting, as well as between the ends of the strands themselves overlying the brazing material. Consequently, the entirety of the joint surface overlying the brazing material is filled with epoxy material sealing the potential leakage paths.... [2:21-27].* Manning finally teaches: *Thus, a leakage path may develop from within the strands of copper and extend well beyond the fitting manifesting itself along the external periphery of the stator bar. A leakage path may develop at the joint between the fitting and strands and manifest itself externally along a side of the joint opposite from the initiation or inlet portion of the leakage path [4:24-30].*

ii. Manning teaches application of sealing material to the entirety of the brazing forming the strand-to-fitting joint. Since no application technique is perfectly precise enough to prevent even infinitesimally small amounts of epoxy from contacting surfaces adjacent the brazing, it is the Examiner's position that the combined method of Manning and Kulie necessarily results in the contact of at least one molecule of coating material on the surface of the fitting adjacent the brazed joint, thereby reading on the limitation *with the coating extending beyond the strand-to-fitting joints to cover at least a portion of adjoining wall surfaces of the fitting*. In the alternative, since Manning teaches that leakage paths may extend beyond the immediate vicinity of the joint, it would have been obvious to one skilled in the art to extend the coverage of the epoxy

beyond the immediate borders of the brazing, in order to better prevent leaks.

B. Double-patenting Rejections

i. US '091 teaches, as an expressly disclosed embodiment of application, forming *a uniform barrier coating over the end of the stator bar, the braze joints and the interior of the clip, thereby to serve as a seal between the liquid coolant and the copper strands and brazing alloy applied to the strands, sealing potential leakage paths within the fitting* [5:63-6:7].

ii. It would have been obvious to one skilled in the art to modify the process claimed in US '091 so as to apply the coating according to the expressly disclosed embodiment, which includes the claimed strand-to-fitting joints and adjacent areas. See Fig. 2.

***Claim Rejections - 35 USC § 103***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. **Claims 1-6, 8-10, 12-14, 16-18, 20, and 21, remain rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,605,590 A (Manning et al.) in view of US 3,410,250 A (Kulie et al.).**

A. These references are applied for the reasons set forth under this heading in the prior Office action.

B. With respect to the newly-added limitations, Manning clearly teaches: *Water-cooled stator bars for electrical generators are comprised of a plurality of small rectangular solid and hollow copper strands which are brazed to one another and brazed to an end fitting* [1:15-18]. Further, as noted above, Manning teaches application of sealing material to the entirety of the brazing forming the strand-to-fitting joint. Since no application technique is perfectly precise enough to prevent even infinitesimally small amounts of epoxy from contacting surfaces adjacent the brazing, it is the Examiner's position that the combined method of Manning and Kulie necessarily results in the contact of at least one molecule of coating material on the surface of the fitting adjacent the brazed joint, thereby reading on the limitation *with the coating extending beyond the strand-to-fitting joints to cover at least a portion of adjoining wall surfaces of the fitting*. In the alternative, since Manning teaches that leakage paths may extend beyond the immediate vicinity of the joint, it would have been obvious to one skilled in the art to extend the coverage of the epoxy beyond the immediate borders of the brazing, in order to better prevent leaks.

***Double Patenting***

9. **Claims 1-6, 8-10, 12-14, 16-18, 20, and 21, remain rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 5-8 and 11-13 of U.S. Patent No. 7,150,091.**

A. Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant claims fully encompass the patented claims with the exception that the patented claims do not expressly recite that the spray nozzle is inserted into the cavity, or that the coating extends *beyond the strand-to-fitting joints to cover at least a portion of adjoining wall surfaces of the fitting*.

B. As noted above, US '091 teaches, as an expressly disclosed embodiment of application, forming *a uniform barrier coating over the end of the stator bar, the braze joints and the interior of the clip, thereby to serve as a seal between the liquid coolant and the copper strands and brazing alloy applied to the strands, sealing potential leakage paths within the fitting* [5:63-6:7]. It would have been obvious to one skilled in the art to modify the process claimed in US '091 so as to apply the coating according to the expressly disclosed embodiment, which includes the claimed strand-to-fitting joints and adjacent areas. See Fig. 2.

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571) 272-1419. The examiner can normally be reached on Sunday, 5:00 AM - 12:00 PM and Monday through Friday, 5:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William Phillip Fletcher III/  
Primary Examiner, Art Unit 1792

January 3, 2009